

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated March 31, 2008. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-15 are pending in the Application.

Applicant(s) thank(s) the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority document(s).

Claim 5 is rejected under 35 U.S.C. §112, second paragraph as allegedly not complying with the enablement requirement. Further, it is alleged that the content on page 6, lines 1-5 is contradictory to the content on page 6, lines 7-9. This rejection and stipulation is respectfully traversed. It is respectfully submitted that claim 5 and the sections of the specification clearly enable the present system. However, in the interest of expediting consideration and allowance of the claims, the Applicants have elected to amend claim 5 to clarify that "the assigned area on the optical disc is in an area unable to be identified by the optical disc reading device." As should be clear from claim 1, the writing of the control information of the program

by the optical disk writing device is performed into an area not accessible by an optical disc reading device. In other words, it is the optical disk writing device that writes control information that is not accessible to the optical disk reading device. Accordingly, it is respectfully submitted that claim 5 and the specification do comply with the enablement requirement and it is respectfully requested that this rejection under 35 U.S.C. §112, second paragraph, be withdrawn.

Claims 1-6 and 9-15 are rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 7,196,982 to Nakahara ("Nakahara"). Claims 7 and 8 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Nakahara. These rejections are respectfully traversed. It is respectfully submitted that claims 1-15 are allowable over Nakahara for at least the following reasons.

Nakahara does show a system of recording data in a first format that is received in a second format. As such, Nakahara shows converting the data from the second format to the first format and storing of control information that is related to the stored data in the first format on the disk. However, as should be clear from even a cursory review of FIG. 3 of Nakahara (see, also

Col. 10, lines 56-62), the control information is stored in the file area of the optical disk and therefore, is stored on a portion of the optical disk that is accessible to an optical disk reading device.

It is respectfully submitted that the method of claim 1 is not anticipated or made obvious by the teachings of Nakahara. For example, Nakahara does not disclose or suggest, a method that amongst other patentable elements, comprises (illustrative emphasis added) "method for writing an optical disc using an optical disk writing device, comprising: ... (b) writing control information of the program into an area not accessible to an optical disc reading device; and (c) converting the written control information of the program into control information compliant to a standard and storing the control information compliant to a standard on the optical disc" as recited in claim 1, and as similarly recited in claim 14. In fact Nakahara shows recording the control information in a portion of the optical disk that is readable by an optical reading device.

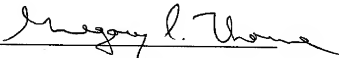
Based on the foregoing, the Applicants respectfully submit that independent claims 1 and 14 are patentable over Nakahara and notice to this effect is earnestly solicited. Claims 2-13 and 15

respectively depend from one of claims 1 and 14 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

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